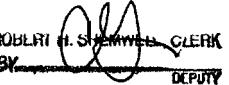


MAY 23 2003


 ROBERT H. SHERMAN CLERK
 BY DEPUTY

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION**

CIVIL NO. 01CV2148

**IBERIA CREDIT BUREAU, INC.,
d/b/a Information Services**

**WARDELL X. GERHARDT,
ALFRED J. THERIOT,
CONSTANCE WHITE LOUVIERE,
ELLIOTT JOLIET,
CHARLES LANDRY,
CLAUDIA VICTORIA FONTENOT,
THERIOT CONSTRUCTION, INC.**

Plaintiffs**VS.****JUDGE LEMELLE**

**CINGULAR WIRELESS, LLC,
f/k/a Bell South Mobility, LLC,
a/k/a Cingular/Bellsouth,
TELECORP COMMUNICATIONS, INC.,
a/k/a Suncom**

MAGIC VIDEO, INC.

**WIRELESS COMMUNICATIONS, INC.,
a/k/a Cajun Wireless New Iberia
a/k/a Cajun Wireless**

**JS CELLULAR & BEEPERS, LLC,
IBERIA CELLULAR TELEPHONE CO., LLC.,
d/b/a Centennial Wireless,
SPRINT SPECTRUM CO.**

Defendants

**STATE OF LOUISIANA,
Intervener**

MAGISTRATE JUDGE METHVIN

**MINUTES OF COURT:
*Oral Argument on Motions***

Date: May 23, 2003**Presiding: Ivan L.R. Lemelle, United States District Judge****Court Opened: 9:30 a.m.****Minute Clerk: Christine Guidry****Court Adjourned: 12:25 p.m.****Court Reporter: Cathy Marquardt****APPEARANCES****PARTY****ATTORNEY****Iberia Credit Bureau, Inc., as plaintiff**

**Joseph R. Joy III
Elizabeth C. Dougherty
James Robert Davis, Jr.
Theodore Haik, Jr.
Kenneth Wall
Calvin Fayard, Jr.**


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Cingular Wireless LLC, as defendants	Gary J. Russo Seamus Duffy William Connolly
Telecorp Communications, Inc., as defendant	Kelly Noonan Joseph E. Leblanc, Jr.
Iberia Cellular Telephone Co. LLC, as defendant	Mark A. Balkin
Sprint Spectrum Co., LP	John Olinde
State of Louisiana, Intervener	Isabel Wingerter

PROCEEDINGS:

Oral Argument was held this date, May 23, 2003 on the following Motions:

Motion by Iberia Cellular Telephone Company, L.L.C's for Summary Judgment (Rec. Doc. 104)

Motion by TeleCorp Communications Inc. for Partial Summary Judgment (Rec. Doc. 111)

Motion by Cingular Wire LLC to Sever (Rec. Doc. 163)

Motion by Sprint Spectrum L.P. for Separate Trial (Rec. Doc. 172)

Motion by Sprint Spectrum L.P. for Partial Summary Judgment (Rec. Doc. 173)

Motion by Cingular Wire L.L.C. and BellSouth Mobility L.L.C. for Partial Summary Judgment (Rec. Doc. 175)

Motion by Sprint Spectrum L.P. to Compel Arbitration as to all claims by Charles V. Landry and to Dismiss this Action or to Stay Proceedings (Rec. Doc. 214)

Motion by Cingular Wire L.L.C. to Compel Arbitration with respect to Plaintiffs Iberia Credit Bureau Inc., Wardell X. Gerhardt and Constance White Louviere and to Stay Litigation with respect to Iberia Credit Bureau Inc., Wardell X. Gerhardt and Constance White Louviere (Rec. Doc. 219)

Motion by Centennial Cellular L.L.C. to Compel Arbitration for Claims of Sheriff Sid Hebert and to Stay these Proceedings (Rec. Doc. 228)

Motion by State of Louisiana to Intervene (Rec. Doc. 238)

Motion by Iberia Credit Bureau, Wardell X. Gerhardt, Alfred J. Theriot, Constance White Louviere, Elliott Joliet, Charles, V. Landry, Claudia Victoria Fontonet, Al Theriot Const, Inc., Sid Hebert, for Leave to File Supplemental Motion for Summary Judgment (Rec. Doc. 250)

Motion by Cingular for Leave to File Reply Memorandum in support of Motion to Compel (Rec. Doc. 256)

The Motion by Iberia Credit Bureau, Wardell X. Gerhardt, Alfred J. Theriot, Constance White Louviere, Elliott Joliet, Charles, V. Landry, Claudia Victoria Fontonet, Al Theriot Const, Inc., Sid Hebert, for Leave to File Supplemental Motion for Summary Judgment (Rec. Doc. 250) and the Motion by Cingular for Leave to File Reply Memorandum in support of Motion to Compel (Rec. Doc. 256) are GRANTED.

Upon conclusion of oral argument the court finds that the Motion by Cingular Wire LLC to Sever (Rec. Doc. 163) and the Motion by Sprint Spectrum L.P. for Separate Trial (Rec. Doc. 172) are **DENIED** as premature.

The court finds that the Motion by Iberia Cellular Telephone Company, L.L.C's for Summary Judgment (Rec. Doc. 104), Motion by TeleCorp Communications Inc. for Partial Summary Judgment (Rec. Doc. 111), Motion by Sprint Spectrum L.P. for Partial Summary Judgment (Rec. Doc. 173), Motion by Cingular Wire L.L.C. and BellSouth Mobility L.L.C. for Partial Summary Judgment (Rec. Doc. 175), Motion by Sprint Spectrum L.P. to Compel Arbitration as to all claims by Charles V. Landry and to Dismiss this Action or to Stay Proceedings (Rec. Doc. 214), Motion by Cingular Wire L.L.C. to Compel Arbitration with respect to Plaintiffs Iberia Credit Bureau Inc., Wardell X. Gerhardt and Constance White Louviere and to Stay Litigation with respect to Iberia Credit Bureau Inc., Wardell X. Gerhardt and Constance White Louviere (Rec. Doc. 219), Motion by Centennial Cellular L.L.C. to Compel Arbitration for Claims of Sheriff Sid Hebert and to Stay these Proceedings (Rec. Doc. 228) are **DENIED** and premature. The parties may re-urge their Motions for Summary Judgment at a later date.

The Motion by State of Louisiana to Intervene (Rec. Doc. 238) is GRANTED.

The parties are encouraged to submit the original contracts which are to be filed into the record. Said documents are not filed under seal but shall be placed in a folder to protect the delicate papers.

The parties shall on, or before June 5, 2003, file their interlocutory appeal. No extension will be granted.

COPY SENT:
DATE: 5/28/03
BY: NB
TO: Saib

fay	wheeler
Sayard	Lettane
Olinde	Noonan
Dougherty	Chauten
Wall	Baskin
Davis	Wingertier
Fusso	
Bergin	
Duffy	
Connally	